



Delegated Decisions by Cabinet Member for Finance

Friday, 22 September 2023 at 10.00 am

Room 3 - County Hall, New Road, Oxford OX1 1ND

Please note that due to guidelines imposed on social distancing by the Government the meeting will be held virtually.

If you wish to view proceedings, please click on this [Live Stream Link](#). However, that will not allow you to participate in the meeting.

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on Friday 29 September 2023 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public

A handwritten signature in blue ink that reads 'Martin Reeves'.

Martin Reeves
Chief Executive

September 2023

Committee Officer:

Democratic Services

committeesdemocraticservices@oxfordshire.gov.uk

Note: Date of next meeting: 17 October 2023

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection. To facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9.00 a.m. four working days before the meeting. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that, if the technology fails, your views can still be taken into account. A written copy of your statement can be provided no later than 9.00 a.m. two working days before the meeting. Written submissions should be no longer than one A4 sheet.

EXEMPT ITEM

In the event that any Member or Officer wishes to discuss the information set out in Annex 1 to Agenda Item 4, the Committee will be invited to resolve to exclude the public for the consideration of the Annex by passing a resolution in relation in the following terms:

"that the public be excluded during the consideration of the Annex since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".

NOTE: The report does not contain exempt information and is available to the public.

ANNEX 1 TO THE ITEM NAMED HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

4. Former playing fields at Northfield Hostel (Pages 1 - 6)

Forward Plan Ref: 2023/265

Contact: Lawrence Tosh, Senior Property Officer, lawrence.tosh@oxfordshire.gov.uk

Report by Executive Director: People, Transformation & Performance

The information in this case is exempt in that it falls within the following prescribed categories:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that a negotiation is ongoing and would prejudice the position of the authority in the process of that negotiation and the Council's standing generally in relation to such matters in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

Annex 1 containing exempt information under the above paragraph is attached.

The Cabinet Member is RECOMMENDED to approve the freehold sale of land comprising the former playing field at Northfield Hostel for social housing to a named purchaser in consideration of OCC receiving a capital receipt.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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Divisions Affected – Rose Hill and Littlemore

CABINET MEMBER FOR FINANCE

22 September 2023

FREEHOLD DISPOSAL FORMER PLAYING FIELDS NORTHFIELD HOSTEL LITTLEMORE OX4 6LD

Report by Executive Director:
People, Transformation & Performance

RECOMMENDATION

The Cabinet Member is **RECOMMENDED** to approve the freehold sale of land comprising the former playing field at Northfield Hostel for social housing to a named purchaser in consideration of OCC receiving a capital receipt.

Executive Summary

1. Oxfordshire County Council (OCC) sold the Northfield Hostel, edged blue on the plan below,) in 2022 for a social housing development, (hostel site).
2. It is now proposed to sell the adjoining former playing field site, 2,530sqm 0.6 acres), edged red on the plan below to a named purchaser for social housing. (Playing field site).
3. A single planning consent was received for the development of both sites but the development and sale of units on the playing field site can only commence once an agreed number of properties have been delivered on the hostel site. With this restriction the timing of the sale of homes built on the OCC, playing field, land is outside of our control.
4. A sale has been agreed to the owner of the hostel site, for the full market value. This eliminates the risk and uncertainty of not knowing when the capital receipt will be received.

Background

5. OCC originally owned the combined freehold of the land shown on the plan below, shown edged red and blue. The property was historically used as a weekly

residential boarding hostel for some of the children studying at the nearby Northfield Special School (now the Orion Academy).

6. The hostel closed in 2014 and the building and land were declared surplus to operational requirements and placed on the Capital Disposal Programme list.



RED - OCC retained playing field land 2,530sqm (0.6 acres)
BLUE - The City land 4,942sqm (1.2 acres)

7. Following Cabinet approval on 18 August 2020 conditional contracts were exchanged for the freehold sale of part of the site edged blue to a named purchaser, the hostel site. Completion of the sale was conditional upon a single planning permission being granted for the combined site. Detailed permission for 51 affordable units on the hostel site and outline permission for 10 market units on OCC's retained, playing field, land.
8. Planning permission was granted in March 2022 enabling completion of the sale in June 2022 of the hostel site, with OCC's intention thereafter to market its retained land, the playing field site. Any sale of the retained land being dependent upon the planning conditions linking the two sites first being satisfied.
9. As a result of issues with contractors and changes in funding policies there have been delays in the owners of the hostel site commencing the development. The result of this delay means there is uncertainty in respect of when the development of the playing field site could commence.
10. The only way to overcome this uncertainty is to either submit a fresh planning application for just the playing field site, which would result in the site needing a higher proportion of affordable homes, and the potential value falling as a result, or seeking to sell the site to the owner of the hostel site.

11. Terms have been agreed for a sale to the owner of the hostel site, a named purchaser. Details of the sale are exempt because of the confidential nature of this information relating to the terms of the sale agreed.

12. The heads of terms agreed are set out in detail in confidential Annex 1.

Risk Management

13. The Council must ensure that all capital payments received come from the client account of a firm of solicitors acting for the purchaser, which has taken responsibility for money laundering checks. The Council may wish to conduct independent checks on the source of the funds and must reserve the right to withdraw from the transaction at any stage in the event that these are not completed to its satisfaction.

Corporate Policies and Priorities

14. The sale of the site supports the agreed Property and Asset Strategy agreed in November 2022, by maximising the value of investments to support the long-term financial sustainability of the Council land and supporting the local community by the provision of land for social housing,

Staff Implications

15. There are no staff implications.

Equality & Inclusion Implications

16. There are no equality and inclusion implications.

Financial Implications

17. The Capital & Investment Strategy for 2023/24 agreed by the Council in February 2023 sets out that the principle that capital receipts should be treated as a corporate resource and used across the capital programme flexibly.

18. The proposal from the named purchaser would provide a capital receipt for a sale set out in the disposals programme. The sale price is supported by independent valuation advice. The disposal is therefore compliant with the best value requirements as set out in section 123 of the Local Government Act 1972

Comments checked by:

Salhan, Prem - Finance Business Partner (Resources & E&P)

Prem.Salhan@Oxfordshire.gov.uk

Legal Implications

19. The Council has power to dispose of its land assets pursuant to Section 123(1) of the Local Government Act 1972, subject to its duty to ensure it receives best value for them. The Council owns the freehold to the site.

Comments checked by:
Richard Hodby, Solicitor, Law and Governance
Richard.hodby@Oxfordshire.gov.uk

Sustainability Implications

20. There are no sustainability implications

Risk Management

21. The information as set out within the Exempt Annex No 1 demonstrates assessment as to the financial risks has been undertaken resulting in concluding the recommendation to dispose of the site.

Vic Kurzeja, Director of Property Services
vic.kurzeja@Oxfordshire.gov.uk

Contact Officers: Michael Smedley, Head of Estates, Assets, and Investment
Michael.smedley@Oxfordshire.gov.uk

14 September 2023

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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